

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAFON BLACKNALL,

Plaintiff,

-against-

WHITE PLAINS POLICE; P.O. JACOBSON;
P.O. D. VELEZ; P.O. MARINELLO; P.O.
VALENTINE,

Defendants.

ORDER OF SERVICE

24-CV-6122 (PMH)

PHILIP M. HALPERN, United States District Judge:

Plaintiff commenced the instant action on August 6, 2024. (Doc. 1). The Court, after the case was reassigned to it, issued an Order of Service, directing service of the summonses and complaint upon Defendants City of White Plains and Police Officers Jacobson, Marinello, Valentine, and Velez. (Doc. 8). Counsel appeared and answered on behalf of those Defendants on October 28, 2024. (Doc. 11—Doc. 15). On October 29, 2024, Plaintiff filed an amended complaint, naming three additional defendants: Westchester County, and Police Officers Smith and Santa. (Doc. 17).

Because Plaintiff has been granted permission to proceed IFP, he is entitled to assistance from the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants Westchester County, and Police Officers Smith and Santa through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (USM-285 form) for each of these

Defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all of the paperwork necessary to effect service upon these Defendants.

If the amended complaint is not served within 90 days of the date summonses issue, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that plaintiff is responsible for requesting an extension of time for service). Plaintiff must notify the Court in writing if his address changes, and the Court may dismiss the action if Plaintiff fails to do so.

Accordingly, the Clerk of Court is instructed to issue summonses for Defendants Westchester County, and Police Officers Smith and Santa, complete the USM-285 forms with the addresses for Defendants, and deliver to the U.S. Marshals Service all documents necessary to effect service.

SO ORDERED.

Dated: White Plains, New York
November 8, 2024



PHILIP M. HALPERN
United States District Judge

SERVICE ADDRESS FOR EACH DEFENDANT

1. County of Westchester
Westchester County Attorney's Office
148 Martine Avenue
White Plains, NY 10601
2. Police Officer Smith
White Plains City Police Department
77 S Lexington Ave
White Plains, NY 10601
3. Police Officer Santa
White Plains City Police Department
77 S Lexington Ave
White Plains, NY 10601